

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) NO. CR 05-213L
Plaintiff,)
v.) ORDER GRANTING
ELDON M. MADDEN,) MOTION CONTINUING TRIAL AND
Defendant.) PRETRIAL MOTIONS DUE DATE

THE COURT having considered the parties' joint motion to continue the date of trial to September 19, 2005 and the pretrial motions due date to August 19, 2005 and the Court having considered the motion and the record herein now finds:

The speedy trial waiver executed by the defendant, with respect to the Speedy Trial Act creates an excludable period of time in the calculation of when the trial must commence under the Act. See 18 U.S.C. § 3161(h)(8)(A).

The Court finds that a failure to grant the continuance of the trial date would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv).

The Court further finds that the ends of justice will be served by ordering a continuance of the pretrial motions date and that a continuance is necessary to insure effective trial preparation and that the ends of justice served by granting the requested continuance outweigh the interest of the public and the defendant in a speedy trial.

1 THEREFORE IT IS HEREBY ORDERED that the parties' joint motion to continue
2 the trial date and pretrial motions due date is GRANTED;

3 IT IS FURTHER ORDERED that the trial date shall be continued from August 1,
4 2005 to September 19, 2005. Pretrial motions are due no later than August 19, 2005 with
5 responsive briefs due no later than August 26, 2005;

6 IT IS FURTHER ORDERED that the period of delay from August 1, 2005,
7 until September 19, 2005, is excludable time pursuant to 18 U.S.C. § 3161(h)(8)(A), for the
8 purpose of computing the time limitations imposed by the Speedy Trial Act, 18 U.S.C.
9 §§ 3161-3174.

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11 DONE this 18th day of July, 2005.

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14 Robert S. Lasnik
15 United States District Judge
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